

524 Rec'd PCT 29 NOV 1999

Form PTO-1390  
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
702-991768TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/424815

INTERNATIONAL APPLICATION NO.  
PCT/NL98/00311INTERNATIONAL FILING DATE  
29.05.98 (May 18, 1998)PRIORITY DATES CLAIMED  
29.05.97 (May 29, 1997)

TITLE OF INVENTION

ANTIMICROBIAL PEPTIDES DERIVED FROM UBIQUICIDINE

APPLICANT(S) FOR DO/EO/US

Petrus Hendricus NIBBERING, Pieter Sicco HIEMSTRA, Maria Theodora VAN DEN BARSELAAR,  
Ernest Karel Jacob PAUWELS and Rolf Ide Johannes FEITSMA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
   
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. Letter Recognizing Attorneys
  - b. WO 98/54314-Front Page with Abstract, Specification, Claims, Drawings and Search Report (47 pp.)
  - c. International Preliminary Examination Report with Annex (9 pp.)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/424815		PCT/NL98/00311		702-991786	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):					
Search Report has been prepared by the EPO or JPO.....		\$840.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482).....		\$670.00			
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....		\$760.00			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....		\$970.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....		\$96.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	26 - 20	6	X \$18.00	\$ 108.00	
Independent claims	10 - 3 =	7	X \$78.00	\$ 546.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,624.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
SUBTOTAL =				\$ 1,624.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 1,624.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 1,624.00	
				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,624.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Assistant Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0650. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Barbara E. Johnson 700 Koppers Building 436 Seventh Avenue Pittsburgh, Pennsylvania 15219-1818 Telephone: (412) 471-8815 Facsimile: (412) 471-4094					
				SIGNATURE Barbara E. Johnson	
				NAME 31,198	
				REGISTRATION NUMBER	

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PATENT APPLICATION/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

PETRUS HENDRICUS NIBBERING,  
PIETER SICCO HIEMSTRA,  
MARIA THEODORA VAN DEN BARSELLAR,  
ERNEST KAREL JACOB PAUWELS  
and ROLF IDE JOHANNES FEITSMA

702-991768

PCT/NL98/00311

ENTITLED

"ANTIMICROBIAL PEPTIDES DERIVED FROM UBIQUICIDINE"

To BOX PCT  
Attention: DO/EO/US

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number EL400912621US

Date of Deposit November 29, 1999

I hereby certify that the following attached paper or fee

LETTER RECOGNIZING ATTORNEYS

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Nora Ann Pastrick  
(Typed name of person mailing paper or fee)

*Nora Ann Pastrick*  
(Signature of person mailing paper or fee)

09/424815

PATENT APPLICATION

Attorney Docket 702-991768

420 Rec'd PCT/PTO 29 NOV 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
PETRUS HENDRICUS NIBBERING, : ANTIMICROBIAL PEPTIDES  
PIETER SICCO HIEMSTRA, : DERIVED FROM UBIQUICIDINE  
MARIA THEODORA VAN DEN BARSELAAR, :  
ERNEST KAREL JACOB PAUWELS :  
and ROLF IDE JOHANNES FEITSMA :  
International Application :  
No. PCT/NL98/00311 :  
International Filing Date :  
29 May 1998 :  
Priority Date Claimed :  
29 May 1997 :  
Serial No. Not Yet Assigned :  
Filed Concurrently Herewith :

Pittsburgh, Pennsylvania  
November 29, 1999

LETTER RECOGNIZING ATTORNEYS

Box PCT  
Assistant Commissioner for Patents  
Washington DC 20231

Sir:

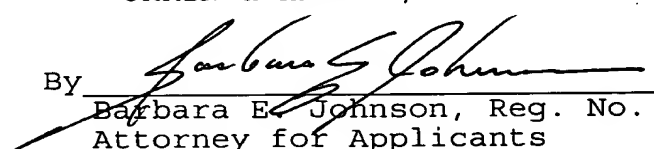
Enclosed are appropriate papers for initiating the national phase of the above-identified PCT application, comprising a specification, claims and drawings. A Preliminary Amendment is also enclosed.

Please accept the application for purposes of granting a filing date and recognize Barbara E. Johnson, Russell D. Orkin and Jesse A. Hirshman, Registration Nos. 31,198, 25,363 and 40,016, respectively, as attorneys in this application, pending the filing of a formal Declaration and Power of Attorney.

Kindly direct all communications relating to this application to Barbara E. Johnson.

Respectfully submitted,  
WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

By

  
Barbara E. Johnson, Reg. No. 31,198  
Attorney for Applicants  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: 412/471-8815  
Facsimile: 412/471-4094

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Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number EL400912621US

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I hereby certify that the following attached paper or fee

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A  
FILING UNDER 35 U.S.C. 371 (original and two (2) copies)  
and check in amount of \$1,624.00 for filing fees  
and surcharge for late Declaration

is being deposited with the United States Postal Service "Express  
Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on  
the date indicated above and is addressed to the Assistant  
Commissioner for Patents, Washington, D.C. 20231.

Nora Ann Pastrick

(Typed name of person mailing paper or fee)

*Nora Ann Pastrick*

(Signature of person mailing paper or fee)

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PRELIMINARY AMENDMENT with ABSTRACT

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Nora Ann Pastrick

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*Nora Ann Pastrick*

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Date of Deposit November 29, 1999

I hereby certify that the following attached paper or fee

WO 98/54314 - FRONT PAGE with ABSTRACT (1 p.),  
SPECIFICATION (22 pp.), CLAIMS (4 pp.),  
DRAWINGS (17 pp.) and SEARCH REPORT (3 pp.)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Nora Ann Pastrick

(Typed name of person mailing paper or fee)

*Nora Ann Pastrick*

(Signature of person mailing paper or fee)